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Beech Nut ordered to clean Canajoharie site

Asbestos remains at former baby food plant

Daniel Fitzsimmons | [April 20, 2017](#)



The Beech Nut plant in Canajoharie in 2013.

PHOTOGRAPHER: MARC SCHULTZ

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The U.S. Environmental Protection Agency has ordered baby food maker Beech Nut to clean up their former manufacturing facility in the village of Canajoharie, which the company sold to a developer in 2013 that has not paid property taxes.

The 26.9-acre facility sits off of I-90 in Canajoharie, and has been declared a superfund site by the federal agency due to asbestos contamination. The EPA announced this week

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contaminated in 2012, before they sold the property to a developer. The agency claims Beech Nut commissioned a survey in 2012 that estimated asbestos abatement work would cost \$1.7 million to clean just half of the site.

Beech Nut operated a canning and food manufacturing facility at the site from 1891 to 2010, when due to flooding the company moved to the nearby town of Florida.

According to the order, the company sold the property in 2013 to Ohio-based developer Todd Clifford, who owns a company called TD Development LLC. The original purchase price of \$1 million was driven down to \$200,000 after it was learned how much asbestos abatement work would be required at the site.

Some asbestos and demolition work was performed at the site in 2014 and 2015, but went unfinished. Meanwhile, the decaying and leaking structures, combined with the known presence of asbestos, were cause for concern for county and Canajoharie officials.

The EPA order says Clifford sold the property in 2014 to Jeffrey Wendel, a business associate and executive at a demolition company. It also says at the time that Wendel was "doing business as TD Development LLC."

Regardless of who owns the site, Montgomery County officials maintain neither Clifford nor Wendel have paid taxes on the property since 2013, resulting in a \$1.7 million property tax bill. Neither Clifford nor Wendell could be reached for comment.

In 2015, the state Department of Environmental Conservation asked the EPA to evaluate debris piles and other materials at the site for asbestos removal. The county was at the same time considering foreclosing on and redeveloping the property but had concerns over being held liable for contamination at the site.



2 of 4 - The Beech-Nut letters are removed from the sign above the plant in Canajoharie. (Photo provided)

The county has since worked with the EPA and DEC on a site rehabilitation plan, and recently secured nearly \$1 million in state and federal grants for demolition work on the eastern portion of the site to eventually turn it into a shovel-ready business or industrial park.

Montgomery County Executive Matthew Ossenfort said his office is working with the EPA on an agreement to release the county from any liability for asbestos or other contamination. The release is crucial to foreclosing on the property, he said.

Ossenfort said county officials weren't surprised that the EPA ordered Beech Nut to clean the site up.

"We knew that at some point it was likely the EPA or DEC was going to engage the previous owners on the site," said Ossenfort. "EPA initiated that, so it wasn't altogether a surprise."

Ossenfort said the order doesn't affect the county's plan to redevelop the site.

"We're moving forward and are looking at a potential foreclosure in June," said Ossenfort.

He added that his office is working to secure an additional \$2 million in state grants toward redeveloping the property. Working with the county, the village recently filed papers in

Asked if any legal protest from Beech Nut could complicate the process, Ossenfort said the county would “cross that bridge when we come to it.”

“I’d like to see Beech Nut really be part of doing something positive on the site rather than this simply being a legal endeavor,” he said.

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Representatives for Beech Nut could not be reached for comment.

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'I heard vrrrrmmmm, BAM, SPLASH'

Testimony begins in fatal boat crash trial

Ned Campbell | April 19, 2017





Alexander West listens to opening statements during his trial in Warren County Court on the July 25 fatal boat crash.

PHOTOGRAPHER: SHAWN LACHAPPELLE/POOL

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Christine Knarr remembers breathing a sigh of gratitude as her family's boat slowly approached the shore of Lake George one July night, her husband at the helm and their three grandchildren about ready for bed.

She called these rides "putt-putt cruises" because they were a way to relax with family. Her 8-year-old granddaughter, Charlotte McCue, had just fallen asleep on a bench behind them, her head resting on the lap of her mother, Courtney McCue.

"And then Courtney yelled, 'Oh my God. Oh my God,'" Knarr said Wednesday in Warren County Court, recalling the fatal boat ride that would leave young Charlotte dead and cause serious injury to Courtney. "I looked up and there was a hull of a boat above our heads."

She said she remembered hearing "boom, boom, splash," and then seeing Charlotte bounce "like a rag doll."

In a 911 recording played Wednesday, Knarr can be heard saying, "Oh my God, she's not OK. Please, please hurry. Please." She then tells Courtney to "hang onto me, hang onto me, hang onto me."

Knarr put her head down and cried while the recording played.



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"Her whole left side was just filleted open — she was just cut in several places," she said.

The trial of Alexander West began Wednesday, with District Attorney Kate Hogan painting a picture of a family who spent the day fishing on Lake George, only to have it end in tragedy.

By contrast, Hogan told the jury, West spent the day partying at Log Bay Day with friends — drinking, snorting cocaine and smoking hashish — before driving a 22-foot power boat that night.

West, of Lake George, is accused of crashing the boat under the influence of drugs and alcohol at about 9:20 p.m. July 25, a collision that killed 8-year-old Charlotte. McCue's family is from Carlsbad, California, and they were in Lake George to visit McCue's grandparents, Christine and Robert Knarr.

Hogan said in her opening statement that West did not report the accident to police until the next day, when he knew he would be sober. He also drove his boat, along with four passengers, away from the scene, stopping at Tea Island Resort "where he knew the owner," she said.

"He didn't even go to the closest point on shore and just take care of his own boat," she said. "No, he fled and he hid."



Defense attorney Kathryn Conklin gives her opening statement. (Shawn LaChapelle/Pool)

Kathryn Conklin, who along with Cheryl Coleman is representing West, suggested he didn't know at the time about the fatality and injury that occurred.

"He was in an accident," she told the jury. "His boat's not working, it shuts down — they're trying to start that boat back up. You will hear that individuals from Alex's boat shouted to the Gar Wood and asked if they were OK and didn't get a response. Reasonable doubts."

Hogan did her best to show that the chaos coming from the Gar Wood would have been hard to ignore. She called as her first witness Gregory S. Guerrieri, who was on the lakeside porch of a rented home at 39 Cramer Point Road shortly after 9:20 p.m. when an otherwise tranquil night was interrupted by what he called the sound of a speeding boat.

Guerrieri, 53, said he knew the boat was speeding from the noise it made, having grown up around his parents' marina and owning a boat himself.

"I heard vrrrrmmmm, BAM, SPLASH," he said.

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He ran inside to call 911 and said he could hear screaming and people yelling, "Oh my God."

"The screaming and the yelling, it never stopped," he said. "It was something that you thought you heard out of a movie. It was horrid. It was absolutely blood-curdling."

He recalled meeting the family at the boathouse next door when they were able to dock their damaged boat. He wiped tears from his eyes as a recording of one of three 911 calls he made that night played the moment when he realized Charlotte's life was past saving.

The dispatcher is providing instructions on CPR as Charlotte's grandmother, who has his phone, tries to revive her.

"She doesn't have a chest left," Guerrieri can be heard telling the dispatcher. "She's gone."

Guerrieri said he also helped Charlotte's mother, Courtney, that night, covering the gash on her leg with a towel, wrapping another towel around her body and holding her tight until the ambulance arrived.

"At one point I thought she might actually pass in my arms," he said.

His son, Gregory A. Guerrieri, 26, also testified. He was inside the lake house at the time of the crash, playing a board game with his little sister and his girlfriend. He heard the screaming and went outside.

"I could hear kids crying 'mommy.' ... It was a moment of horror," he said.

Hogan asked him who was closer to the Gar Wood — him or the other boat.

"The other boat — much closer," he said.

Hogan also called to the stand Jennifer Farmer, the Warren County dispatcher who spoke to the elder Guerrieri that night. The district attorney asked her if she received any 911 calls from West or any anonymous calls, and Farmer said no.

"It was chaos in our room," she said. "There were multiple 911 calls that we all handled and answered."

Earlier on Wednesday, Conklin criticized Hogan's emotional opening statement, saying anger and sadness are not "elements to the charges" included in the 12-count indictment. They include manslaughter and second-degree assault, the latter charge related to serious physical injuries suffered in the crash by Courtney McCue.

individual being charged with these serious offenses.

Conklin also said the jury would hear from Robert Knarr, whom she said refused to take a Breathalyzer test after the crash. She said Knarr, Charlotte's grandfather and the Gar Wood's driver that night, "was fearful because he had had wine and medication due to a recent doctor's visit."

West faces up to 22 years in prison if convicted on the charges.

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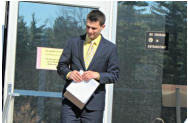
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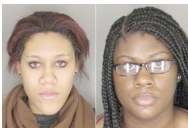
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